

Section 6. Substance Abuse Policy

- 6.1 OMB's desire is to provide a drug-free, healthful, and safe workplace. Employees are required to report to work in a condition to perform their jobs in a safe, efficient, and satisfactory manner. The presence of alcohol and other drugs on the job and the influences of those substances on employees during working hours are inconsistent with the objectives of a drug and alcohol free workplace and will not be tolerated.
- 6.2 While at OMB's workplace and while conducting business-related activities of OMB, no employee may use, possess, manufacture, distribute, sell, or be under the influence of alcohol or illegal drugs or use legal drugs illegally. In addition, the legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to meet standards and perform the essential functions of the job in a safe manner that does not endanger other individuals, equipment, or property in the workplace.
- 6.3 Employees may be disciplined up to and including termination of employment for use of illegal drugs, illegal use of legal drugs, or use of legal drugs such as alcohol or other prescription/nonprescription drugs. Discipline may be imposed for use during official working hours, including mealtime or other work breaks, or during nonworking hours when the effect of the legal drug inhibits the employee's job performance or the agency's performance. In addition, discipline may be imposed when the employee's behavior affects the agency's reputation, endangers others, or damages equipment or property. Off duty use of alcohol or other legal drugs is also cause for discipline when it results in an employee reporting to work "under the influence."
- 6.4 Violations of this policy may lead to disciplinary action, up to and including termination of employment, and/or participation in a substance abuse rehabilitation or treatment program. Violations may also have legal consequences.
- 6.5 A manager may require an employee to leave the workplace if the manager determines the employee has reported to work in an inappropriate condition and cannot perform the essential functions of the job effectively in a safe manner that does not endanger themselves or others. The employee may be required to use a day of annual leave or sick leave. If the manager determines the employee should not operate a motor vehicle, the manager should arrange transportation for the employee. If the employee refuses to accept transportation and insists on operating a motor vehicle, they will be informed by the manager that law enforcement officials will be notified that the employee appears unfit to operate a motor vehicle. Law enforcement officials should then be appropriately notified.
- 6.6 To inform employees about important provisions of this policy, OMB has established a drug-free awareness program. The program provides information on the dangers and effects of substance abuse in the workplace, resources available to employees, and consequences for violations of this policy.
- 6.7 Employees with questions or concerns about substance dependency or abuse are encouraged to use the resources of the Employee Assistance Program. Employees may also wish to discuss these matters or this policy with their supervisor or HRMS to receive assistance or referrals to appropriate resources in the community.

- 6.8 Under the Drug-Free Workplace Act, an OMB employee who performs work for a government contract or grant must notify OMB of a criminal conviction for drug-related activity occurring in the workplace. The report must be made within five days of the conviction. All OMB employees are required to sign a drug and alcohol free workplace acknowledgement (SFN 16769).
- 6-9 The use of alcohol and illegal use of drugs while operating a state vehicle is prohibited. Individuals operating a state vehicle under the influence of alcohol or illegal drugs will be subject to disciplinary action up to and including termination of employment. The use of legal prescription or nonprescription drugs while operating a motor vehicle may also result in disciplinary action when the drugs impair the employee's ability to drive.
- 6-10 When participating in social activities sponsored by the division, OMB, or which are associated with workplace activities, employees are expected to conduct themselves in such a manner so they do not represent a danger to themselves, other employees, or the general public, or damage the reputation of the division or OMB.